

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – PRED – Sri G. Indrasen Reddy, SE, PR (Retd.) and Sri B. Bhoopathi Reddy, EE, PR (Retd.) – Payment of interest on retirement benefits – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (ESTT.I.2.) DEPARTMENT

G.O.Rt.No. 80

Dated:22-01-2010.

Read the following:-

1. G.O.Rt.No.48, PR&RD (E.I) Department, Dated: 17.1.2003.
2. G.O.Rt.No.1719, PR&RD (E.I) Department, Dated: 18.11.2003.
3. G.O.Rt.No.852, PR&RD (E.I) Department, Dated: 11.6.2004.
4. Government Memo No.4542/Vig.I/2008-1, PR&RD (Vig.I) Department, Dated: 7.11.2008.
5. Letter No.G-4/2743/03, Dt. 19.12.2008 of the O/o. Engineer-in-Chief, PR, Hyderabad.
6. Letter No.G-4/6009/03, Dated: 23.12.2008 of the O/o. Engineer-in-Chief, Hyderabad.
7. Orders of Hon'ble Andhra Pradesh Administrative Tribunal dated: 30.1.2009 in O.A.No.3919/2007.
8. Order No.19670/2009-3, Dt. 17.3.2009 of AG, AP, Hyderabad.
9. Order No.19835/2009-15, Dt.5.5.2009 of AG, A.P., Hyderabad.
10. Interim orders of Hon'ble High Court of Andhra Pradesh dated: 11.11.2009 in W.P. No.24377/2009.

ORDER:

In the G.O. 1st read above, orders were issued permitting Sri G. Indrasena Reddy, Superintending Engineer, PR (Retd.) and Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.) to retire from service with effect from 30.4.2003 and 31.1.2003 respectively without prejudice to the disciplinary / criminal cases pending against them and also subject to condition that the disciplinary proceedings / criminal cases shall continue against them even after their retirement.

2. In the G.O. 2nd read above, orders were issued sanctioning provisional pension to an extent of 75% of normal pension to Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.). In the G.O. 3rd read above, orders were issued sanctioning provisional pension to an extent of 75 % of normal pension to Sri G. Indrasena Reddy, Superintending Engineer, PR (Retd.).

3. In the Memo 4th read above, orders were issued dropping further action in the Advisor (Quality Control) Cases pending against Sri G. Indrasena Reddy, Superintending Engineer, PR (Retd.) and Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.) along with others.

4. In the letters 5th and 6th read above, the Engineer-in-Chief, PR has forwarded the applications of Sri G. Indrasena Reddy, Superintending Engineer (PR) (Retd.) and Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.) to the Accountant General, Andhra Pradesh, Hyderabad for release of pensionary benefits to the individuals. In the orders 7th and 8th read above, the Accountant General, Andhra Pradesh, Hyderabad has authorized the pension and other retirement benefits to Sri G. Indrasena Reddy, Superintending Engineer (PR) (Retd.) and Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.) respectively.

5. The Hon'ble Andhra Pradesh Administrative Tribunal, in its orders 7th read above, in O.A.No.3919/2007 filed by Sri G. Indrasena Reddy, Superintending Engineer (PR) (Retd.) and Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.), has observed that they retired six years back and without any reason their retirement benefits were stopped and that as there is no justifiable ground for withholding the pensionary benefits, the applicants are entitled for simple interest at the rate of 18% Per Annum from the date of retirement till the date of payment of pensionary benefits. While observing as above, the Hon'ble Andhra Pradesh Administrative Tribunal has directed as follows:-

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"In the above circumstances, the applicants are entitled for full pension and also the retirement benefits like gratuity commutation of pension etc. Hence, the respondents are directed to release the full pension and retirement benefits like gratuity, commutation of pension etc., within a period of four weeks from the date receipt of a copy of this order. The respondents are further directed to pay the simple interest to the applicants from the date of retirement till the date of payment of pensionary benefits. The O.A. is allowed accordingly."

6. Challenging the above orders, Government have filed Writ petition No.24377/2009 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court of Andhra Pradesh, in its orders 8th read above, has granted interim stay on the orders dt. 30.1.2009 of Hon'ble Andhra Pradesh Administrative Tribunal in O.A. No.3919/2007, on condition of payment of pensionary benefits with simple interest @ 9% per annum, within six weeks.

7. Government, after careful examination of the matter, have decided that no interest shall be paid on Provisional Pension already paid and to pay the interest on the balance amount only.

8. Accordingly, Government hereby sanction interest @ 9% per annum on the balance amount of pension to Sri G. Indrasena Reddy, Superintending Engineer, PR (Retd.) and Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.), as they were already sanctioned provisional pension.

9. The Engineer-in-Chief, PR, Hyderabad shall take further action in the matter.

10. This order issues with the concurrence of Finance (Pen-I) Department vide their U.O.No.31128/425/A1/Pen.I/10, Dated: 6.1.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G. Indrasena Reddy, Superintending Engineer, PR (Retd.) through Engineer-in-Chief, PR, Hyderabad.

Sri B. Bhoopathi Reddy, Executive Engineer, PR (Retd.) through Engineer-in-Chief, PR, Hyderabad.

The Engineer-in-Chief, PR, Hyderabad.

Copy to:

The Accountant General, A.P., Hyderabad.

The Government Pleader for Ser.II, High Court of A.P., Hyderabad.

The Government Pleader for PR&RD, Andhra Pradesh Administrative Tribunal, Hyderabad with reference to C.A.No.885/2009 in O.A.No.3919/2007.

The Finance (Pen.I) Department.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER